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DATE:

May 19, 2004

PTO IDENTIFIER:

Application Number

09/886,400

Patent Number

Inventor: Dennis MURPHY et al.

MESSAGE TO:

US Patent and Trademark Office

FAX NUMBER:

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FROM:

MORRISON & FOERSTER LLP

Gregory P. Einhorn

PHONE:

(858) 720-5133

Attorney Dkt. #:

564462000320

PAGES (Including Cover Sheet):

Fee Transmittal (1 page + 1 copy for processing);

Transmittal (1 page);

Petition for Extension of Time (1 page);

Response and Amendment (15 pages);

Declaration Under 37 C.F.R. Section 1.132 (3 pages)

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		Art Unit	- -	1652						
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ENCLOSURES (Check all that apply)										
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SUBMITTED BY		Registration No. 20 AAD			(Complete (if applicable))							
Name (Print/Type) Gregory P. Einhorn		ration ivi cy/Agont		,440		Telephone	(858) 720-5133					
Signature 92						Date	May 19, 2004					
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PTO/S9/17 (10-03)

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known FEE TRANSMITTAL 09/886,400 Application Number June 20, 2001 Filing Date for FY 2004 Dennis MURPHY First Named Inventor D. M. Ramirez Examiner Name Applicant claims small entity status. See 37 CFR 1.27 1652 X Art Unit 564462000320 Attorney Docket No. TOTAL AMOUNT OF PAYMENT FEE CALCULATION (continued) METHOD OF PAYMENT (check all that apply) 3. ADDITIONAL FEES X Deposit Account: Small Entity Large Entity Deposi Fec (\$) Fee Code Fee Code 03-1952 Fee Description CCOUNT Fee Paid (5) 2051 Surchargo - late filing fee or oath 1051 130 Deposit Morrison & Foerster LLP Surcharge – tate provisional filing fee or cover sheet. 25 1052 2052 The Director is authorized to: (check all that apply) 1053 130 Non-English specification X Charge fee(s) indicated below X Credit any overpayments 1053 130 1912 2,520 For filing a request for ex parte reexamination 1812 2,520 Charge any additional fee(s) or any underpayment of fee(s) × Requesting publication of SIR prior to 1804 920 1804 9201 Examiner action Charge foc(s) indicated below, except for the Pling fee Requesting publication of SIR after 1.8401 1805 1805 1840 to the above-identified deposit account Extension for reply within first month 55 1251 110 2251 FEE CALCULATION Extension for reply within second morals 210.00 1262 120 2252 1. BASIC FILING FEE 476 Extension for reply within third month 1253 950 2253 Large Entity Small Entity 740 Extension for reply within fourth month Fee (\$) Fee Description 1,480 2254 Fee 1254 (\$) 1255 2,010 2255 1 005 Extension for reply within fifth month Utility liling fee 1001 770 2001 385 1401 330 2002 170 Design filing fee 185 Filing a brief in support of an appeal 1402 330 2402 2003 265 Plant filing fee 1003 53D 145 Request for oral hearing 1403 290 2403 1004 770 2004 305 Reissue fling fee 1,510 Petition to institute a public use proceeding 2005 RO Provisional filing foe 1451 1,510 1451 1005 160 2452 1452 110 55 Petition to revive - unavoidable SUBTOTAL (1) (\$) 2453 885 Polition to revive - unintentional 1,330 1463 1501 1,330 2501 665 Utility Issue fee (or reissue) 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE 1502 480 2502 240 Design issue lee Fee Paid Claim below 1503 2503 320 Plantissue fee 640 Total Claims -20 130 Petitions to the Commissioner Independent Claims 1460 130 1460 Processing fee under 37 CFR 1.17(4) 1807 1807 50 Muidple Dependent Submission of Information Disclosure Stml 1806 180 1808 Large Entity Small Entity Recording each patent assignment per property (times number of properties) 40 8021 Fee (3) 8021 Fee Description Code (\$) Filing a aubmission after linar rejection (37 CFR 1.129(a)) 2202 Chairms in excess of 20 770 2809 385 1202 18 1809 43 Independent claims in excess of 3 2201 For each additional invention to be examined (37CFR 1.129(b)) 1201 86 385 770 2810 1810 145 Multiple dependent claim, if not paid 1203 290 2203 385 Request for Continued Examination (RCE) 1801 770 2801 " Reissue independent claives 1204 86 2204 43 Request for expedited examination over original patent 900 1802 900 1802 of a design application 2205 ** Reissue claims to excess of 20 1205 and over original patent Other fee (specify) 210,00 SUBTOTAL (3) (S) Reduced by Basic Fling Foo Paid SUBTOTAL (2) (5) **or number previously paid, if greater, For Relssues, see above (Complete (if applicable)) SUBMITTED BY Registration No. Telephone (858) 720-5133 Name (PrintType) Gregory, P. Einhorn 38,440 (Atlomey/Agant) May 19, 2004 Date Certificate of Transmission by Facsimile I hereby certify that this correspondence is being transmitted by facsimile to the USPTO on the date indicated below to central fax number 703, 872-9306 5/19/04 Date of Transmission Duplicate Copy 2D-200 193

For Fee Processing

Attorney's Docket No.: 56446-20003.20/-004005/ D1120-4

Examiner : Delia M. Ramirez, Ph.D.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Murphy, et al.

Art Unit : 1652

Filed

Title

Serial No.: 09/886,400

: June 20, 2001

: ALPHA GALACTOSIDASES AND METHODS FOR MAKING AND CONTROL OF

THEM (AMENDED)

CENTRAL FAX CENTER

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

MAY 1 9 2004

RESPONSE AND AMENDMENT

Sir:

Responsive to the non-final office action, mailed December 19, 2003, Applicants respectfully request entry of the amendments and consideration of the remarks set forth herein. A response was initially due March 19, 2004. Applicants herein submit a petition for a two month extension of time to May 19, 2004, under 37 C.F.R. §1.136, with the appropriate fee under 37 C.F.R. §1.17. Accordingly, this Response is timely filed.

The amendments are reflected in the listing of claims which begin on page 2 of this paper.

Remarks begin on page 9 of this paper.

The following documents are also enclosed herewith:

- Transmittal letter, and Petition for Extension of Time;
- Fee Transmittal:
- Rule 132 declaration by Dr. Jay Short;
- Facsimile cover sheet.

CERTIFICATE OF MAILING BY FACSIMILE

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Muy 19, 2004

Date of Deposit

Signature

Jeanne Amour Typed or Printed Name of Person Signing Certificate

sd-200174